

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:04CV518-H**

KIMBERLY HOYLE,

Plaintiff,

v.

**UNITED AUTO WORKERS LOCAL
UNION 5285, and THE
INTERNATIONAL UNION UAW,**

Defendants.

ORDER STAYING PROCEEDINGS

THIS MATTER is before the Court on the Plaintiff's "Notice of Suggestion of Pendency of Bankruptcy and Automatic Stay of Proceedings" (document #40) filed October 9, 2006 in response to the Defendants' "Motion for Bill of Costs" (document #36) filed September 13, 2006.¹

Exhibits attached to the Plaintiff's Notice reflect that on September 21, 2006, she filed a petition for bankruptcy protection under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Western District of North Carolina.

THEREFORE IT IS ORDERED:

1. This action is **STAYED** pending further Orders of the Court, provided, however, that neither the Stay nor this Order should be construed in any way as limiting the Defendants' right to pursue their claim for costs by filing a proof of claim in the bankruptcy proceeding.
2. The Clerk is directed to remove this action as a "statistically pending matter" as

¹On August 3, 2006, the undersigned granted the Defendants' "Motion[s] for Summary Judgment" (documents ##21-22), and dismissed the Complaint with prejudice. See "Memorandum and Order" (document #34).

permitted by Volume XI, Chapter V of the Guide to Judicial Policies and Procedures.

3. The Clerk is also directed to send copies of this Order Staying Proceedings to counsel for the parties.

SO ORDERED.

Signed: October 10, 2006

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

